

REMARKS

Claims 1-15 and 17-29 are pending in this application. By this amendment, applicants have amended claims 1, 14, 17 and 28.

Reconsideration of the above-identified application in view of the foregoing amendments and the following remarks is respectfully requested.

Rejections Under 35 U.S.C. §§102/103:

Claims 1-4, 6-10, 13-15, 17, 21-23, 25-28 and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Windows Task Manager, (c) 1981-2001, MS Corp. (hereinafter "Task") in view of NeXT Step 3.3 Copyright (c) 1995 by NeXT Computer Inc. (hereinafter "NeXT").

Claims 5 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Task in view of NeXT and further in view of US2002/0191029 to Gillespie et al. ("Gillespie").

Claims 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Task in view of NeXT and further in view of U.S. 5,910,802 to Shields et al. ("Shields").

Claims 1, 14, 17 and 28 are independent.

Applicant has amended claim 1 to specify "receiving a notification of a selected one of said menu options; and providing access to an application associated with a selected menu option, whether said application is active or inactive when selected." These features are discussed on, e.g., page 5, paragraphs 1 and 2 of the description as originally filed, which describes how a user can access an application by selecting the menu option from a main menu or sub-menu and provides examples of the accessing of functions and the display of associated information from the application.

The Examiner has rejected claim 1, based on a combination of a depiction of the Windows® Task Manager and the application dock disclosed in NeXT.

As noted previously, the window of Task displays a list of applications that have already been activated, along with text stating whether the application "Running" or "Not responding". In other words, Task discloses only the display of a list of active applications, whereas the present claims require the display of a list of menu options with associated applications that are active and inactive.

The distinction between the inactive applications in amended claim 1 and the unresponsive application in Task is demonstrated by the options available to a user when an application from the list in Task is selected. Task only allows a user to end the selected application or "switch to" the selected application, if said application is running, or to end the selected application if said application is "not responding". The window of Task does not permit access to an inactive application by the selection of one of the listed menu options, as required by amended claim 1.

Moreover, since the function of the Task Manager of Task is intended to provide a user with operational information regarding active applications, it would not be obvious to modify the window of Task to include inactive applications and the nontextual status indicators of NeXT, since this would involve a change in the fundamental purpose of the Task Manager window.

Consequently, Applicant respectfully submits that claim 1, as amended, is not obvious. Claims 14, 17 and 28, as amended, contain features similar to those found in amended claim 1, and thus, are patentable for at least the same reasons.

The dependent claims also are non-obvious by way of their dependency on amended claims 1, 14, 17 or 28.

CONCLUSION

Applicant respectfully submits that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

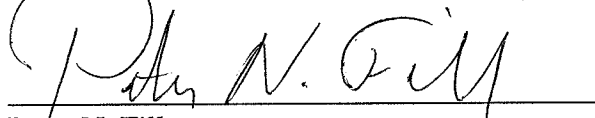
The Commissioner is hereby authorized to charge any additional fees which may be required by this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1004289.216US (4208-4252).

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1004289.216US (4208-4252).

Respectfully submitted,
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